

RELATING TO AND MAKING APPROPRIATIONS TO THE JUSTICE SYSTEM, PROVIDING PENALTIES, AND INCLUDING EFFECTIVE AND RETROACTIVE APPLICABILITY DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Sec. 18. Section 124.204, subsection 4, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. *ai.*

(1) Mephedrone, also known as 4-methylmethcathinone, (RS)-2-methylamino-1-(4-methylphenyl)propan-1-one.

(2) Methylene-dioxypyrovalerone (MDPV) [(1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone)].

(3) Salvia divinorum.

(4) Salvinorin A.

(5) Any substance, compound, mixture or preparation which contains any quantity of any synthetic cannabinoid that is not approved as a pharmaceutical, including but not limited to the following:

(a) CP 47, 497 and homologues 2-[(1R, 3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol).

(b) HU-210[(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol)].

(c) HU-211(dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

(d) JWH-018 1-Pentyl-3-(1-naphthoyl)indole.

(e) JWH-073 1-Butyl-3-(1-naphthoyl)indole.

(f) JWH-200 [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-naphthalenyl-methanone.

Sec. 19. Section 124.401, subsection 1, paragraph c, subparagraph (8), Code 2011, is amended to read as follows:

(8) Any other controlled substance, counterfeit substance, or simulated controlled substance classified in schedule I, II, or III, except as provided in paragraph "d".

Sec. 20. Section 124.401, subsection 1, paragraph d, Code 2011, is amended to read as follows:

d. Violation of this subsection, with respect to any other controlled substances, counterfeit substances, or simulated controlled substances classified in section 124.204, subsection 4, paragraph "ai", or classified in schedule IV or V is an aggravated misdemeanor. However, violation of this subsection involving fifty kilograms or less of marijuana or involving flunitrazepam is a class "D" felony.

Sec. 27. EFFECTIVE DATE. The following provision of this division of this Act takes effect thirty days after enactment, notwithstanding section 3.7:

The section of this division of this Act amending section 124.204, subsection 4, paragraph "ai", subparagraphs (1) through (4).

Sec. 28. EFFECTIVE UPON ENACTMENT. The following provision of this division of this Act, being deemed of immediate importance, and notwithstanding section 3.7 takes effect upon enactment:

The section of this Act amending section 124.204, subsection 4, paragraph "ai", subparagraph (5).

Sec. 29. EFFECTIVE UPON ENACTMENT AND RETROACTIVE APPLICABILITY. The following provision of this division of this Act takes effect upon enactment, and if approved by the governor on or after July 1, 2011, shall apply retroactively to June 30, 2011:

The section of this division of this Act amending section 654.4B.